

U.S.S.N. 10/606,823

Remarks

The listing of claims has been changed to show that claims 1-23 have been cancelled.

Thorough examination by the Examiner is noted and appreciated.

The claims have been amended and new claims added to more clearly claim Applicants invention to overcome the applied art of record. No new matter has been added.

Support for the claim amendments are found in the Specification e.g., in the Figures, and at page 10 beginning at line 6:

"FIGs. 4, 5, and 6 show representative exposures on a semiconductor wafer that can be accomplished in conjunction with the method 100, according to varying embodiments of the invention. In FIG. 4, the exposures 400 include a first semiconductor device exposure 402 on a semiconductor wafer that resulted from exposing the wafer to a light source through a photomask part that was defect-free or with defects at different locations. The exposure 402 is provided for reference purposes. By comparison, the exposures 400 also include a second semiconductor device single exposure 404 on a semiconductor wafer that resulted from exposing the wafer to a light source through a

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photomask part that had defects. That is, the exposure 404 should look like the exposure 402, but because the mask that was utilized was defective, it is malformed."

And in the Specification beginning at line 1, page 11:

"In FIG. 5, the exposures 500 again include the first exposure 402 for reference purposes, but the double exposure 404' results from a double-exposure process. The first exposure was from exposing the wafer through a photomask part that had defects, whereas the second exposure was from exposing the wafer through a corresponding photomask part that did not have any defects or has defects at different locations. That is, the double exposure 404' is the single exposure 404 of FIG. 4, with an additional exposure through a defect-free or defective mask, such as the mask that was used to result in the first exposure 402. As can be seen by comparing the single exposure 404 of FIG. 4 with the double exposure 404' of FIG. 5, the additional exposure through the defect-free or defective masks make the double exposure 404' look more like the exposure 402, at least more so than the single exposure 404 does."

#### Claim objections

Claims 29, 30 and 31 have been amended to overcome Examiners objections.

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**Claim Rejections under 35 USC 102(b)**

1. Claims 24-38 stand rejected under 35 USC 102(b) as being anticipated by Higashikawa et al. (US 6, 319,637).

Higashikawa et al. disclose a method for repairing a defective portion of a photomask by preventing exposure (forming an unexposed portion) through the defective portion of a photomask, by forming an opaque portion over the defective portion prior to exposure, and then exposing the unexposed portion with a second mask pattern to thereby repair the pattern transferred by the defective photomask (see Abstract; Figure 2A-2F; col 2, line 65- col 2, line 18' col 2, lines 60-67; claims 1 and 10).

Higashikawa et al. does not disclose or suggest Applicants disclosed and claimed invention including:

"exposing a semiconductor wafer to a first mask part that is at least partially defective to form a defectively exposed portion; and,

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exposing the defectively exposed portion to a second mask part corresponding to the first mask part and that is at least substantially free from defects or with defects at different locations"

Thus Higashikawa et al. is insufficient to make out a *prima facie* case of anticipation with respect to Applicants disclosed and claimed invention.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

The Claims have been amended and a new claim added to clarify Applicants' disclosed and claimed invention. A favorable reconsideration of Applicants' claims is respectfully requested.

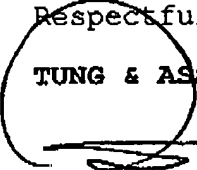
Based on the foregoing, Applicants respectfully submit that the Claims are now in condition for allowance. Such favorable action by the Examiner at an early date is respectfully solicited.

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In the event that the present invention as claimed is not in condition for allowance for any reason, the Examiner is respectfully invited to call the Applicants' representative at his Bloomfield Hills, Michigan office at (248) 540-4040 such that necessary action may be taken to place the application in a condition for allowance.

Respectfully submitted,

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